

EXHIBIT 116

**Excerpts of the Deposition of
Ike Lawrence Epstein
(5/26/17)
(Redacted)**

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

CUNG LE; NATHAN QUARRY, JON)	
FITCH, on behalf of)	
themselves and all others)	
similarly situated,)	
)	
Plaintiffs,)	
)	
vs.)	Case No.
)	2:15-cv-01045-RFB-(PAL)
)	
ZUFFA, LLC, d/b/a Ultimate)	
Fighting Championship and)	
UFC,)	
)	
Defendant.)	
_____)	

C O N F I D E N T I A L

VIDEOTAPED DEPOSITION OF

IKE LAWRENCE EPSTEIN

LAS VEGAS, NEVADA

MAY 26, 2017

9:07 a.m.

REPORTED BY:
CYNTHIA K. DuRIVAGE, CSR #451
Job No. 50641

CONFIDENTIAL - IKE LAWRENCE EPSTEIN

<p style="text-align: right;">90</p> <p>1 A. I do.</p> <p>2 Q. Now, do you recall whether you reviewed</p> <p>3 this portion of the Deutsche Bank offering memorandum</p> <p>4 for accuracy?</p> <p>5 A. I don't recall.</p> <p>6 Q. Now, about two-thirds of the way down,</p> <p>7 there's a sentence that begins "Furthermore."</p> <p>8 Do you see that?</p> <p>9 A. Yes.</p> <p>10 Q. And it says:</p> <p>11 [REDACTED]</p> <p>12 [REDACTED]</p> <p>13 [REDACTED]</p> <p>14 [REDACTED]</p> <p>15 [REDACTED]</p> <p>16 [REDACTED]</p> <p>17 [REDACTED]</p> <p>18 [REDACTED]</p> <p>19 [REDACTED]</p> <p>20 [REDACTED]</p> <p>21 Do you see that?</p> <p>22 A. I do.</p> <p>23 Q. Is that an accurate statement regarding the</p> <p>24 championship clause?</p> <p>25 A. I think it is accurate.</p>	<p style="text-align: right;">92</p> <p>1 A. After we've invested a lot of time, effort,</p> <p>2 and money in promoting an athlete, if the contract</p> <p>3 expires, simply wanted the opportunity to match the</p> <p>4 terms of any competing offer, and it's been something</p> <p>5 that exists in boxing agreements for decades and</p> <p>6 decades, existed in Bellator's agreements. It exists</p> <p>7 obviously in our agreements. And it's actually</p> <p>8 something that has been used effectively by fighters</p> <p>9 to make sure they get a fair offer on the open</p> <p>10 market.</p> <p>11 Q. Excuse me. I didn't hear the last part.</p> <p>12 A. They get a fair offer in the open market</p> <p>13 because it requires the other promoter to make sure</p> <p>14 they make a high offer. So it's hopefully not</p> <p>15 matched.</p> <p>16 We've been on both sides of this one very</p> <p>17 recently.</p> <p>18 Q. Now, would you turn to Epstein 1, the</p> <p>19 Deutsche Bank materials. That same section that I</p> <p>20 asked you about, [REDACTED]</p> <p>21 [REDACTED]</p> <p>22 And about a third of the way down, above</p> <p>23 the portion I asked you about a minute ago, there's a</p> <p>24 sentence that begins [REDACTED]</p> <p>25 Do you see that? It starts five lines from</p>
<p style="text-align: right;">91</p> <p>1 Q. I beg your pardon?</p> <p>2 A. Yeah, it's accurate.</p> <p>3 Q. Turning back to Exhibit 5 which is the</p> <p>4 contract, could you turn to 13, article 13, which is</p> <p>5 on page 11.</p> <p>6 A. Okay.</p> <p>7 Q. Article 13 is the right to match section.</p> <p>8 Do you see that?</p> <p>9 A. I do.</p> <p>10 Q. And just let me read the first line to you.</p> <p>11 It says:</p> <p>12 [REDACTED]</p> <p>13 [REDACTED]</p> <p>14 [REDACTED]</p> <p>15 [REDACTED]</p> <p>16 [REDACTED]</p> <p>17 [REDACTED]</p> <p>18 A. I do.</p> <p>19 Q. What was the business purpose to Zuffa of</p> <p>20 that provision?</p> <p>21 MS. GRIGSBY: Same objection. This was</p> <p>22 asked and answered by Zuffa in the 30(b)(6)</p> <p>23 deposition which took place on November 29th, 2016.</p> <p>24 BY MR. SAVERI:</p> <p>25 Q. You can go ahead and answer.</p>	<p style="text-align: right;">93</p> <p>1 the top of that paragraph. [REDACTED]</p> <p>2 [REDACTED]</p> <p>3 A. Yes.</p> <p>4 Q. Let me read it to you. It says:</p> <p>5 [REDACTED]</p> <p>6 [REDACTED]</p> <p>7 [REDACTED]</p> <p>8 [REDACTED]</p> <p>9 [REDACTED]</p> <p>10 [REDACTED]</p> <p>11 [REDACTED]</p> <p>12 [REDACTED]</p> <p>13 A. I do.</p> <p>14 Q. Is that a true statement?</p> <p>15 A. Back in 2000 -- what is this?</p> <p>16 Q. The document is dated October 2009.</p> <p>17 A. 2009. I'm not sure most contracts were [REDACTED]</p> <p>18 [REDACTED] I don't know that. But certainly, the</p> <p>19 exclusivity clause that [REDACTED]</p> <p>20 [REDACTED]</p> <p>21 [REDACTED]</p> <p>22 [REDACTED] that's absolutely true.</p> <p>23 Q. Okay. Turning back to the agreement again,</p> <p>24 sir.</p> <p>25 A. Okay.</p>

24 (Pages 90 to 93)

CONFIDENTIAL - IKE LAWRENCE EPSTEIN

<p style="text-align: right;">358</p> <p>1 contain an exclusive period, did you mean contracts</p> <p>2 such as Exhibit 5?</p> <p>3 MR. SAVERI: Object to the form. Same</p> <p>4 objection about the scope of the examination.</p> <p>5 THE WITNESS: Yes.</p> <p>6 MS. GRIGSBY: No further questions.</p> <p>7 MR. SAVERI: Thank you.</p> <p>8 THE WITNESS: Thank you.</p> <p>9 THE VIDEOGRAPHER: This concludes Volume 1</p> <p>10 of the videotaped deposition of Ike Lawrence Epstein</p> <p>11 on May 26th, 2017.</p> <p>12 The original media from today's testimony</p> <p>13 will remain in the custody of David Feldman Worldwide</p> <p>14 Court Reporting.</p> <p>15 The time is approximately 6:00 p.m. We are</p> <p>16 going off the record.</p> <p>17 (The following occurred off the</p> <p>18 video record.)</p> <p>19 MR. NORTH: Can we also stipulate that the</p> <p>20 transcript be marked confidential and any</p> <p>21 designations?</p> <p>22 MR. SAVERI: Whatever. I mean, yes, okay.</p> <p>23 That's fine.</p> <p>24 MS. GRIGSBY: That's what we usually do.</p> <p>25</p>	<p style="text-align: right;">360</p> <p>1</p> <p>2 STATE OF _____)</p> <p>3) :ss</p> <p>4 COUNTY OF _____)</p> <p>5</p> <p>6</p> <p>7 I, IKE LAWRENCE EPSTEIN, the</p> <p>8 witness herein, having read the foregoing</p> <p>9 testimony of the pages of this deposition,</p> <p>10 do hereby certify it to be a true and</p> <p>11 correct transcript, subject to the</p> <p>12 corrections, if any, shown on the attached</p> <p>13 page.</p> <p>14</p> <p>15</p> <p>16 _____</p> <p>17 IKE LAWRENCE EPSTEIN</p> <p>18</p> <p>19</p> <p>20 Sworn and subscribed to before</p> <p>21 me, this _____ day of</p> <p>22 _____, 2017.</p> <p>23</p> <p>24 _____</p> <p>25 Notary Public</p>
<p style="text-align: right;">359</p> <p>1 MR. WEILER: Yes, that's fine.</p> <p>2 (The deposition was concluded at</p> <p>3 6:00 p.m.)</p> <p>4</p> <p>5</p> <p>6</p> <p>7</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">361</p> <p>1 CERTIFICATE OF REPORTER</p> <p>2 I, Cynthia K. DuRivage, a Certified</p> <p>3 Shorthand Reporter of the State of Nevada, do hereby</p> <p>4 certify:</p> <p>5 That the foregoing proceedings were taken</p> <p>6 before me at the time and place herein set forth;</p> <p>7 that any witnesses in the foregoing proceedings,</p> <p>8 prior to testifying, were duly sworn; that a record</p> <p>9 of the proceedings was made by me using machine</p> <p>10 shorthand which was thereafter transcribed under my</p> <p>11 direction; that the foregoing transcript is a true</p> <p>12 record of the testimony given.</p> <p>13 I further certify I am neither financially</p> <p>14 interested in the action nor a relative or employee</p> <p>15 of any attorney or party to this action.</p> <p>16 Reading and signing by the witness was</p> <p>17 requested.</p> <p>18 IN WITNESS WHEREOF, I have this date</p> <p>19 subscribed my name.</p> <p>20 Dated: June 12th, 2017</p> <p>21</p> <p>22</p> <p>23 _____</p> <p>24 CYNTHIA K. DuRIVAGE</p> <p>25 CCR No. 451</p>